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International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination
Ninety-seventh session
26 November–14 December 2018
Item 4 of the provisional agenda
Consideration of reports, comments and information submitted by States parties under article 9 of the Convention

List of themes in relation to the combined seventeenth to twenty-first periodic reports of Qatar

Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

National human rights bodies for combating racial discrimination (arts. 2–7)

2. Impact of anti-racism activities conducted by the National Human Rights Committee and other relevant institutions. Adequacy of budgetary and human resources to ensure their proper functioning. Information on the planned activities of the National Human Rights Committee. Information on the consideration by the State party of the recommendations made by the National Human Rights Committee (CERD/C/QAT/CO/13-16, para. 8).

Legal framework for combating racial discrimination (arts. 2–7)

3. Information on the measures taken to strengthen the existing legal framework on racial discrimination and their impact. Information on the incorporation into national law of a definition of racial discrimination that is in line with the Convention (CERD/C/QAT/CO/13-16, para. 10).

4. Provide further detailed information on the implementation and impact of legislative provisions that prohibit the dissemination of ideas based on racial superiority or hatred, incitement to racial discrimination or acts of violence, and organizations that promote and incite racial discrimination, in accordance with article 4 of the Convention. Examples of implementation of article 47 of the Printing and Publishing Act of 1979 and article 2 (11) of the decision issued by the Minister of Information and Culture in 1992 on censorship criteria and rules and the measures to ensure their compliance with article 4 of the Convention. Their impact in combating racism. Guarantees for ensuring that these restrictions to freedom of expression comply with the State's other international human rights obligations.

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5. Content and implementation of Act No. 15 of 2016, promulgating the Civil Human Resources Act. Its impact on countering racial discrimination against employees and on migrant workers' access to related rights on a non-discriminatory basis.

6. Information on whether criminal legislation defines motives based on race, colour, descent or national or ethnic origin as aggravating circumstances when imposing punishment for a crime, in line with article 4 of the Convention.

7. Examples of court cases and administrative decisions that applied the principles found in the Convention and their outcomes, including cases that directly cited the Convention.

Public policy framework for combating racial discrimination (arts. 2–7)

8. Efforts to inform the public about relevant complaint mechanisms and legal remedies. Additional detailed information and updated statistics indicating the outcome of administrative, civil and criminal complaints, prosecutions, convictions, sanctions and remedies for acts of racial discrimination, racist hate speech and hate crimes, and incitement to racial hatred (CERD/C/QAT/CO/13-16, para. 19).

9. Information on whether combating racial discrimination is incorporated into existing national strategies and action plans. Information on the progress made in national strategies and action plans in combating racial discrimination.

Situation of different ethnic and religious groups (arts. 2 and 4–6)

10. Detailed information on specific measures taken by the State party to remove all obstacles to the enjoyment of human rights by members of different ethnic and religious groups, in accordance with article 5 (d) of the Convention. Information on the measures taken to prevent discrimination against these groups in education, employment and the legal system.

Situation of refugees and asylum seekers (arts. 5–7)

11. Detailed information on the legal framework protecting refugees and asylum seekers. Statistics, disaggregated by the nationality of the applicant, on the asylum/non-refoulement claims filed and granted. Information on the availability of appropriate information, interpretation, legal and humanitarian assistance and judicial remedies to asylum seekers.

Situation of migrant workers (arts. 5–7)

12. Updated statistics, disaggregated by ethnicity, age and sex, revealing the enjoyment by migrant and domestic workers and their families of economic, social and cultural rights, in particular the right to just and favourable conditions of work, the right to freedom from exploitation and the right to access housing, social security and health services (CERD/C/QAT/CO/13-16, para. 9).

13. Information on the measures aiming to improve the non-discriminatory enjoyment of the rights and benefits of migrant and domestic workers and their families, especially in the areas of access to employment, education, housing, water and health-care services, and their impact (CERD/C/QAT/CO/13-16, para. 9).

14. Information on the impact of the Qatar National Vision 2030, the Social Protection Sector Strategy 2011–2016 and the Labour Market Sector Strategy 2011–2016 on non-citizens, including migrant workers (CERD/C/QAT/17-21, para. 20).

15. More information on the impact of the measures aiming to protect the right to information of migrant and domestic workers, including by providing information concerning the employment contract in the language of the worker (CERD/C/QAT/CO/13-16, para. 12).

16. Detailed and updated information on the application of Act No. 15 of 2017 on domestic workers. Functioning of mechanisms and implementation of measures concerning the protection of the rights of women domestic workers recruited under bilateral

agreements, including their right to equal pay for equal work (CERD/C/QAT/CO/13-16, para. 13).

Situation of women migrant workers (arts. 5–7)

17. Detailed and updated information on the measures taken to monitor, prevent and combat intersecting forms of discrimination, such as discrimination against women domestic workers or women migrant workers. Information on the situation of women migrant and domestic workers, including on the availability of support services and programmes to protect them from violence, abuse and exploitation (CERD/C/QAT/CO/13-16, para. 14).

Access to justice (art. 6)

18. Information on the measures that guarantee migrant workers' access to justice, including provisions for legal aid that is not limited to criminal cases, and on the measures to address the obstacles in gaining access to justice by migrant workers, including financial barriers, language issues, fear of the police, institutions and retaliation from employers, and a lack of awareness of the complaint mechanisms.

19. Updated detailed information on the implementation and impact of the measures taken to protect migrant workers from forced labour and related practices and the measures taken to ensure that all their rights under the Convention are guaranteed. Information on the application of Act No. 21 of 2015 regulating the entry, exit and residence of migrant workers, and its impact. Information on the measures taken to provide a remedy to migrant workers whose rights have been violated due to the abolished sponsorship system.

Citizenship and nationality (arts. 5–7)

20. Information on the measures taken to ensure that Qatari women can pass their citizenship to their children who are born to men who are not citizens. Information on the application and impact of the Permanent Residency Card Act in this regard.

21. Information on the application of the Permanent Residency Card Act and Act No. 17 of 2004 regulating the ownership and use of real estate and residential units by non-Qatari nationals; and their impact on guaranteeing the right to property of migrant workers without discrimination.

22. Information on the measures taken to ensure political rights are fully enjoyed without discrimination, i.e. by naturalized citizens on an equal basis with citizens born in Qatar.

Training, education and other measures to combat prejudice and intolerance (art. 7)

23. Updated detailed information on training programmes on the prevention of racial discrimination and the rights enshrined in the Convention conducted for law enforcement officers, judges and lawyers, as well as representatives of State bodies, local government entities and associations, and the impact of such programmes on the elimination of racial discrimination.

24. Information on human rights education, in particular as it relates to the elimination of racial discrimination. Information on the representation of ethno-religious groups in school textbooks and curricula. Updated detailed information on the efforts to promote racial tolerance in the State party, and their impact.